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IN THE SENATE OF THE UNITED STATES.

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APRIL 20, 1896.—Referred to the Committee on Commerce and ordered to be printed.

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The PRESIDENT PRO TEMPORE presented the following

LETTER FROM THE ASSISTANT SECRETARY OF WAR, TRANSMITTING A LETTER FROM THE ATTORNEY-GENERAL RELATIVE TO THE IMPROVEMENT OF THE FOX AND WISCONSIN RIVERS.

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WAR DEPARTMENT,  
*Washington, D. C., April 18, 1896.*

SIR: I have the honor to transmit herewith for the information of the Committee on Rivers and Harbors, United States Senate, a letter from the Attorney-General, dated April 7, 1896, together with inclosures therein referred to, relative to the improvement of the Fox and Wisconsin rivers.

It will be seen from the papers in this case that the officers of the Engineer Department, who have had charge of the improvement above referred to since it came under the control of the Government, have been unable to determine precisely what lands were acquired by the United States for the purposes of this improvement under the deed of the Green Bay and Mississippi Canal Company. This deed, which is of date September 18, 1872, granted to the United States "all and singular its property and rights of property in and to the line of water communication between the Wisconsin River aforesaid and the mouth of the Fox River, including its locks, dams, canals, and franchises," and was unaccompanied by any schedule giving a more particular description of the property included in the grant, and as a result much uncertainty exists, especially in regard to the lands so included and the boundaries thereof.

On the 17th of March, 1896, all the papers in the case were transmitted to the Honorable the Attorney-General, with the request that an investigation be made under the direction of the Department of Justice for the purpose of ascertaining what lands were conveyed to the United States by the deed in question.

In returning the papers to this Department, the Honorable the Attorney-General remarks, under date of April 7, 1896, that—

The investigation recommended would require an examination of the records of several counties through which the "line of water communication between the Wisconsin River and the mouth of Fox River" passes, and the expense of such examination, so far as I am advised, could not be defrayed out of any appropriation now under the control of this Department. In view of this, I suggest that the matter be brought to the attention of Congress, with a recommendation that provision be made in the river and harbor act to meet the expenses of an investigation under the direction of this Department for the purpose indicated above. Should Congress provide for such expense, I shall take steps to have the investigation made as promptly as possible.

In view of the foregoing, I have the honor to recommend that provision be made in the river and harbor act to meet the expenses of an investigation, to be conducted under the direction of the Department of Justice, for the purpose of determining what lands were conveyed to the United States by the deed of the Green Bay and Mississippi Canal Company of September 18, 1872, to the end that the uncertainty now existing relative to the lands therein included and the boundaries thereof may be removed, and a proper and legal determination made as to the precise lands so conveyed.

Very respectfully,

JOSEPH B. DOE,  
*Assistant Secretary of War.*

THE PRESIDENT OF THE UNITED STATES SENATE.

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